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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 CHALONER SAINTILLUS,  
15 Defendant.  
16

CASE NO. 2:20-CR-00213-KJM  
GOVERNMENT'S PARTIAL OPPOSITION TO  
DEFENDANT'S MOTION IN LIMINE #1  
DATE: January 23, 2023  
TIME: 9:00 a.m.  
COURT: Hon. Kimberly J. Mueller

17 In its first motion in limine, the government asked the Court to admit defendant Chaloner  
18 SAINTILLUS's bank records at trial. Those records show that a credit or debit card associated with  
19 SAINTILLUS's account was used to purchase postage for at least six of the twelve packages containing  
20 drugs that he is alleged to have mailed to the Eastern District of California. SAINTILLUS does not  
21 oppose the admission of the records showing those purchases, but he asks that the rest of the records be  
22 redacted to avoid showing the jury SAINTILLUS's other transactions. All other transactions, he  
23 contends, are irrelevant.

24 The government will redact the records and will confer with SAINTILLUS regarding the extent  
25 of those redactions. However, the government disagrees that all of SAINTILLUS's other transactions  
26 are irrelevant. Evidence is relevant if it "has any tendency to make a fact more or less probable than it  
27 would be without the evidence," and "the fact is of consequence in determining the action." Fed. R.  
28 Evid. 401. That is a broad standard.

1 SAINTILLUS's bank records show numerous point of sale purchases at gas stations and fast  
2 food restaurants. They also show numerous purchases of postage at post offices (including the one from  
3 which SAINTILLUS sent packages on the occasions charged in this case) on occasions other than those  
4 charged in the Superseding Indictment, as well as numerous payments and receipts of funds through the  
5 applications Zelle, Venmo, and Chime. There are also ATM withdrawals and deposits, receipts from  
6 Lyft rides, records of purchases from gun stores, payments to a gym, and sundry other items. There do  
7 not appear to be any obviously inflammatory or embarrassing transactions.

8 It is easy to see that some of SAINTILLUS's other transactions are relevant. For example, the  
9 additional purchases of postage at USPS kiosks makes it more likely that it was SAINTILLUS who  
10 purchased postage for the packages at issue in this case. And the various point-of-sale purchases are  
11 consistent with the normal usage of the card's owner. This too makes it more likely that SAINTILLUS  
12 was the person using the card on the dates relevant to this case.

13 Moreover, defenses SAINTILLUS may raise through cross-examination or through his own  
14 statements if he elects to testify may increase the probative value of these additional transactions. In that  
15 instance, the government may request to provide the jury with un-redacted versions of the bank records.

16 Nonetheless, the government agrees to redact much of the transaction record information unless  
17 and until developments during trial change the probative value of the records, and will confer with  
18 SAINTILLUS regarding those redactions with the goal of resolving this issue prior to the trial  
19 confirmation hearing.

20  
21 Dated: January 20, 2023

PHILLIP A. TALBERT  
United States Attorney

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23 By: /s/ Frank Riebli  
24 SAM STEFANKI  
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